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13 JENNAFER AYCOCK

14 JENNAFER AYCOCK,

15 Plaintiff,

16 vs.

17 AMERICAN EXPRESS NATIONAL
18 BANK AND EXPERIAN
19 INFORMATION SOLUTIONS, INC.,

Defendants.

Case No.: 2:23-cv-00292-CDS-EJY

**JOINT STIPULATION AND
ORDER EXTENDING
DISCOVERY DEADLINES
(THIRD REQUEST)**

20 Plaintiff Jennafer Aycock (“Plaintiff”), and Defendant American Express
21 National Bank (“American Express” or “Defendant”) (“the Parties”) hereby jointly¹
22 move to extend all deadlines set forth in the Joint Stipulation and Order Extending
23 Discovery Deadlines filed with this Court on December 27, 2023, (ECF No. 40) by a
24 period of one-hundred and twenty (120) days due to the complexity and unique set of
25 facts in this matter, the Parties’ good faith attempts to resolve this matter.

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27 _____
28 ¹ Defendant Experian Information Solutions, Inc. does not join in this motion because it has settled
its claims with Plaintiff.



1 Defendant's new counsel is familiarizing herself with this matter, and
2 discovery disputes have arisen between the Parties which the Parties are hopeful will
3 be resolved.

4 As previously explained before, this matter contains unique and complex facts
5 and issues in light of the claim of extensive identity theft that Plaintiff alleges was
6 committed by her ex-boyfriend Brandon Sattler on a multitude of accounts.
7 Specifically, Plaintiff alleges that Mr. Sattler fraudulently opened multiple credit card
8 accounts in her name with various lending institutions. This is not an ordinary
9 identity theft or fair credit reporting case but a much more extensive one which the
10 Parties anticipate will require the review of hundreds of additional documents and
11 recordings as well as depositions of multiple third-party witnesses, especially as
12 American Express disputes Plaintiff's allegations of identity theft. The Parties are still
13 in the process of reviewing all material and deciding the appropriate avenues to
14 address each. The Parties are working together in good faith to work out any issues
15 that arise due to the complexity of this matter.

16 Plaintiff served American Express with a request for production of documents
17 on June 27, 2023, and once the responses came back on August 3, 2023, from
18 American Express, it became apparent that the Parties would need more time to work
19 out the issues and facts related to Plaintiff's allegations that were not previously
20 known by the Parties. The Parties have meet and conferred on Defendant's discovery
21 responses with the idea that those discovery issues will be resolved accordingly
22 between the Parties soon. The Parties have been in good faith working together
23 through the complexities and wish to save the resources and time of each side
24 including the Court. Furthermore, the previous attorney for American Express left the
25 firm and the newly assigned counsel requires additional time to familiarize herself
26 with the facts of the case. Due to the nature of the facts here, the discovery disputes,
27 the addition of new counsel, the Parties in good faith believe more time is necessary
28 to conduct efficient discovery and for the Parties to have effective conversations



1 regarding potential resolution. The Parties are working in good faith to attempt to
2 resolve this matter.

3 1. On February 24, 2023, Plaintiff filed her Complaint (ECF No. 1), against
4 Defendants American Express and Experian.

5 2. American Express filed its Answer to Plaintiff's Complaint on June 26,
6 2023 (ECF No. 20).

7 3. The Parties filed a first Joint Stipulation and Order Extending Discovery
8 Deadlines filed with this Court on August 28, 2023 (ECF No. 27).

9 4. The Parties filed a second Joint Stipulation and Order Extending
10 Discovery Deadlines filed with this Court on December 26, 2023 (ECF No. 40).

11 5. The Parties have completed the following discovery to date:

- 12 • The Parties have exchanged initial disclosures.
- 13 • Plaintiff served American Express with a request for production of
14 documents on June 27, 2023, and Defendant has provided responses.
- 15 • Plaintiff served American Express with a request for admissions and
16 interrogatories on August 11, 2023, and Defendant has provided
17 responses.
- 18 • A deposition for Defendant was set but that was mutually continued due
19 to extensive nature of discovery and the Parties' wishes to narrow
20 potential issues that have arisen.
- 21 • The Parties have meet and conferred regarding Defendant's discovery
22 responses.

23 6. The parties still need to conduct depositions, additional written
24 discovery, serve subpoenas, conduct third-party depositions, and conduct expert
25 discovery.

26 7. The additional time will allow the Parties to flesh out pending discovery
27 issues, conduct extensive and additional fact discovery, including taking depositions,
28 potentially additional written discovery, acquiring all documents from third-parties,



resolving any discovery issues, additional time to adequately determine whether expert discovery will be needed in this matter, and workout discrepancies and evidence issues between the Parties.

8. No party will be prejudiced by this Court granting this Stipulation as all Parties jointly seek an extension of these deadlines. Moreover, the Parties believe that allowing the extension will serve the ends of judicial economy.

9. Moreover, the requested extensions are not sought for the purposes of delay.

10. This is the Parties' third request to extend these deadlines and its done in good faith and not to unduly delay or prejudice any party.

11. Accordingly, the parties request adoption of the following deadlines:

a. Discovery Plan:

Discovery Cut-off	10/11/2024
Deadline to Disclose Expert Disclosures	07/26/2024
Deadline to Disclose Rebuttal Expert Disclosures	08/30/2024
Deadline to File Dispositive Motions	11/08/2024

b. Pre-Trial Order: The parties shall file a joint pretrial order no later than December 24 or thirty (30) days after the date set for filing dispositive motions. In the event Parties file dispositive motions, the date for filing the joint pretrial order is suspended until thirty (30) days after decision on the dispositive motion or order of the Court.

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1 WHEREFORE, Plaintiff and American Express respectfully request this
2 Honorable Court (1) extend discovery in the present matter as set forth above; and (2)
3 reissue a new Scheduling Order to reflect the requested extension.

4 Dated this 19th day of March 2024.

5 **KAZEROUNI LAW GROUP, APC**

6 /s/ Gustavo Ponce

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9 *Counsel for Plaintiff Jennifer
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5 **STEPTOE LLP**

6 /s/ Stephen Newman

7 Stephen J. Newman (admitted pro hac
vice)
Alice Kwak (pro hac vice pending)
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9 *Counsel for American Express
National Bank*

11 **ORDER**

12 IT IS SO ORDERED.

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15 
16 Layna J. Zouchah
17 UNITED STATES MAGISTRATE JUDGE

18 DATED: March 19, 2024



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